



**United States Attorney's Office
District of Columbia**

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PRESS RELEASE

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Former Investigative Specialist for Federal Government Pleads Guilty to Second-Degree Fraud

WASHINGTON - A 25-year-old former investigative specialist at U.S. Investigations Services, Inc. ("USIS"), Kayla M. Smith, who conducted credit checks in connection with background investigations on behalf of the U.S. Office of Personnel Management ("OPM"), has pled guilty to one count of fraud in the second degree, Acting U.S. Attorney Channing D. Phillips announced today.

Smith, of Parker, Pennsylvania, entered her guilty plea earlier today in U.S. District Court before the Honorable Magistrate Judge Alan Kay. Smith is scheduled to be sentenced on December 9, 2009, and could face up to 180 days in prison under the relevant statute as a result of the guilty plea.

According to the factual proffer agreed to by Smith, Smith was employed by USIS as an investigative specialist under contract to conduct credit checks in connection with background investigations on behalf of OPM. OPM's Federal Investigative Services Division ("FISD"), formerly known as the Center for Federal Investigative Services, is responsible for conducting background investigations for numerous federal agencies and their contractors. OPM-FISD has an investigator workforce comprised of federal agents employed by OPM-FISD and investigators, investigative specialists, and record searchers employed by various companies, such as USIS, under contract with OPM-FISD to conduct background investigations. OPM-FISD conducts background investigations of individuals who are either employed by or seeking employment with federal agencies or government contractors. The purpose of the background investigations is to determine individuals' suitability for positions having access to classified information, for positions impacting national security, and for receiving or retaining security clearances.

In conducting these background investigations, contract investigators conduct interviews of individuals who have information about the person who is the subject of the background investigation. In addition, contract investigators and record searchers seek out, obtain, and review documentary evidence, such as employment records, to verify and corroborate information provided by either the subject of the background investigation or by persons interviewed during the investigation. Furthermore, contract investigative specialists contact

creditors and collection agencies to verify delinquent accounts which appear on the subject's credit report or are admitted by the subject. After conducting interviews, record reviews, and credit checks, respectively, contract investigators, record searchers, and investigative specialists prepare a Report of Investigation ("ROI"), containing the results of the interviews, record reviews, and credit checks, and electronically submit the ROI to OPM in Washington, D.C. OPM then provides a copy of the investigative file to the requesting agency and maintains a copy in its records system.

The ROI containing the results of the interviews, record reviews, and credit checks conducted during a background investigation is utilized and relied upon by the agency requesting the background investigation to determine whether the subject of the investigation is suitable for a position having access to classified information, for a position impacting national security, or for receiving or retaining security clearance.

On or about July 23, 2008, in a ROI of a background investigation of R.C., Smith represented that she had received no response to her multiple requests to four separate creditors for credit checks on R.C., when, in truth and in fact, Smith had received credit information relating to R.C. from all of these entities. On the same date, Smith electronically submitted to OPM in Washington, D.C., her ROI on the background investigation of R.C., which Smith knew contained the above-mentioned false representations. These false representations were material, as they influenced the government's decisions and activities with respect to R.C.

Between in or about March 2007 and August 2008, in approximately one out of every three credit checks in her ROI's on background investigations, Smith represented that she had received no response to her multiple requests to creditors and collection agencies for credit checks when, in truth and in fact, Smith had received credit information relating to the subjects from these entities. Smith electronically submitted to OPM in Washington, D.C., these ROI's, knowing that they contained false representations. These false representations were material, as they influenced the government's decisions and activities with respect to the subjects of those background investigations. Smith engaged in this scheme and systematic course of conduct with intent to defraud and to obtain property of USIS, that is, a portion of her salary, through her false representations in her ROI's.

Smith's false representations in her ROI's on background investigations have required USIS, under the supervision of OPM-FISD, to reopen numerous background investigations and redo numerous credit checks that were assigned to Smith during the time period of her falsifications, at a cost to date of \$95,275.37 to USIS and \$4,262.26 to OPM-FISD.

In announcing the guilty plea, Acting U.S. Attorney Phillips praised the hard work of Special Agent Derek M. Holt, OPM, Office of the Inspector General, and Philip Kroop, Group Chief, Integrity Assurance, OPM-FISD. Mr. Phillips also acknowledged the efforts of Assistant U.S. Attorneys Ellen Chubin Epstein and Thomas E. Zeno, who investigated and are prosecuting this matter.

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